



### 133 False Accusations of Sexual Abuse as a Means of Revenge in Couples Disputes

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After attending this presentation, attendees will more fully comprehend the dynamics regarding false charges of sexual abuse leveled against ex-partners as a means of revenge in Italy.

This presentation will impact the forensic science community by presenting some of the challenges that professionals in criminology and legal medicine encounter when ex-partners launch false charges of sexual abuse against the other partner. Additionally, the importance of the role that Parental Alienation Syndrome (PAS) may play in such circumstances will be presented.

False accusations of sexual abuse as a means of revenge in couple disputes when carrying out forensic-psychiatric evaluations on a minor who is the presumed victim of sexual abuse, one may come across both “false positives” and “false negatives.” These may be the result of honest mistakes, or are intentionally false, and the result of manipulation and exploitation. False accusations may come about under certain conditions such as in particularly bitter cases of separation and divorce where one of the parents files charges against the other, and is well aware of the untruthfulness of them. In other cases, the adult reports sexual abuse that did not, in fact, take place, but believes in good faith that it has. Such a parent’s motives are protective in nature. Investigations carried out using inappropriate techniques may result in erroneous conclusions, thus confirming abuse that had, in fact, never taken place. The goals of this study are to examine the phenomenon of false accusations of sexual abuse as a form of revenge by one ex-partner against another, and to offer recommendations as to how to avoid falling into these traps.

This research examined 75 technical consultations and expert testimonials, requested by judicial authorities, and carried out between 2003 and 2009 at the Department of Criminology of the University of Bari, Italy. These cases regarded marital unrest where intrafamilial sexual abuse of a minor was reported. Twenty-two (30%) of these reports were found to be baseless and merely a result of conflict, as well as a strategic maneuver employed by one of the partners as an act of revenge upon the other. Of these 22 baseless charges, five involved men who accused their ex-wives and/or live-in partners. The remaining 17 cases involved charges by women against their ex-husbands and/or live-in partners. This echoes what is reported in the literature. Mothers (alienating parents) often level “virtual accusations of abuse” against fathers (alienated parents). When, on the other hand, it is the father who is the instigator or the alienating parent, the accusations are usually aimed at the new partner of the ex-wife or ex-girlfriend.

Currently, technical consultants who work with separated and conflicted families are increasingly involved in court cases that follow a characteristic pattern: one parent is accused of sexual abuse or serious maltreatment. This causes harm to the youngster and the accused parent is subsequently turned out, losing all contact with the child. It is important to bear in mind how PAS is a form of violence perpetrated on minors. A parent who alienates the other commits a form of abuse that Gardner defines as “emotional,” and may result in the permanent alienation of one loving parent, as well as psychiatric disorders.<sup>1</sup> The estranged parent who forces his or her child into a situation of continual denigration and denial of the other parent can irreversibly damage fundamental psychological bonds. When parents become estranged, a serious deficit in parental care is always a risk and should seriously be considered by the courts when they make decisions regarding child custody. Charges of abuse represent not only an instrument of protection of one’s own children, but also a weapon of revenge against an ex-partner, paradoxically putting these minors into the role of victims.

#### Reference:

- <sup>1</sup> Gardner, R. A. (1999). Differentiating between the parental alienation syndrome and bona fide abuse/neglect. *American Journal of Family Therapy*, 27(2):97-107.

#### False Accusations, Revenge, Sexual Abuse